

Warrant for Annual Town Meeting

May 19, 2008 • Commonwealth Of Massachusetts • Town Of East Longmeadow

To the Constables or the Tax Collector for the Town of East Longmeadow:

**WARRANT FOR ANNUAL TOWN MEETING—MAY 19, 2008
COMMONWEALTH OF MASSACHUSETTS
TOWN OF EAST LONGMEADOW**

HAMPDEN, ss:
To the Constables or the Tax Collector for the Town of East Longmeadow:

You the Constables or the Tax Collector, as aforesaid, are required to notify and warn said inhabitants to meet in the East Longmeadow High School at 7 o’clock in the afternoon on Monday, May 19, 2008, to act on the following articles:

ARTICLE 1. To hear and act on the reports of all officers and committees whose duties require them to report at said meeting.

ARTICLE 2. To hear and act on the report of the Appropriations Committee together with the budget reported by them, and to raise and/or appropriate or otherwise provide such sums of money as may be required to carry on the business of the several departments of the Town for the period July 1, 2008 through June 30, 2009, in accordance with M.G.L. Ch. 44 § 4 and Acts in amendment thereof including in addition thereto Ch. 849 of the Acts of 1969, as amended, as contained in the chart printed with this warrant entitled “Operating Budget, FY 2009”; and pass any vote or take any other action relative thereto.
Sponsored by: Appropriations Committee
\$47,028,441.00

**Report of the Appropriations Committee
May 19, 2008**

As charged in the Town’s By-Laws, the Appropriations Committee is recommending for approval at the Annual Town Meeting, a balanced budget for Fiscal Year 2009 (July 1, 2008 – June 30, 2009). The overall budget is a combination of the recommended operating budgets, warrant article expenses and capital expenses shown in this Warrant.

The budget is funded by projected tax revenue, local receipts, state aid and bonding (borrowing). Please refer to the chart entitled “FY09 Revenue and Budget Summary.” The Committee estimates these revenue sources for FY 2009, with the following major assumptions: 1) property taxes will increase by 4% (1.2 million) using the maximum allowable 2 ½% plus new growth of nearly 2%, 2) local receipts will decrease by 5% (.2 million), reflecting the current economic situation and 3) State aid will increase by 20% (1.8 million) using the amounts that the Governor, the House and the Senate have agreed to fund. Capital expenditures will be funded through transfers, bonding and appropriating.

The proposed budget covers all of the obligations that the Town will incur during FY 2009 and maintain a reasonable level of services. We will also maintain a minimally prudent reserve level for future needs. The budget supports the efforts of the Capital Planning Committee in its

program for regular maintenance and scheduled capital improvements to the Town’s buildings, equipment and properties.

The Appropriations Committee is concerned that the State’s current financial situation will result in a much smaller increase in State aid next year and possibly even a decrease. In either case this will impact our department budgets.

The Appropriations Committee would like to thank the town board members and department staff for their time, cooperation and support during the budgeting process and in helping us to develop the budget we are recommending to you for your approval.

Respectfully submitted,

Appropriations Committee

Raymond C. Miller, Chair
James W. Broderick
Lori A. Coutu
James E. Hayes
David M. Hodge, Esq.
Frank Iovine, Jr.
Michael A. MacLeod
Thomas A. Caliento, Ex-officio

ARTICLE 3. To see if the Town will vote to raise and/or appropriate, borrow or otherwise provide a sum of money for various capital projects as contained in the chart printed with this warrant entitled “Capital Planning Article”; to determine whether such appropriation shall be raised by taxation, by transfer from water and sewer undesignated fund balance, by transfer from unexpended proceeds of prior appropriations or bond issues of the Town, and by borrowing as described in said chart; and pass any vote or take any other action relative thereto.
Sponsored by: Capital Planning Committee
\$4,613,329.00
Appropriations Committee
Recommendation: Recommended

**Report of the Capital Planning
Committee May 19, 2008**

Town Bylaws define capital items as items having a value of \$20,000 or more and a useful life of at least 3 years. The Capital Planning Committee’s report consists of the capital items recommended for fiscal years 2009 and capital items requested through fiscal year 2013.

The Capital Planning Committee divided requested projects and items into two categories: 1.) facility maintenance and 2.) other capital projects.

With regard to facility maintenance, our goals are to address the list of issues identified by the architectural study done in 1998 that evaluated the Town’s building and to respond to issues identified by our Facilities Manager and the occupants of the Town buildings. During the last three years, we have made significant inroads to catch-up on deferred building maintenance. In addition, the establishment of the Facilities Management Division has provided better monitoring of our buildings, established on-going maintenance schedules and afforded the Town with a cost effective option of doing

a number of projects with Town resources.

The other capital projects are items such as new equipment, new construction, remodeling existing construction and major infrastructure investments. A number of these capital projects focus on providing new resources to the Town.

After discussions with the Department Heads, Elected Committees and Boards, we are recommending for your approval, the purchase of capital items contained in the Capital Planning Article. The total amount being recommended is \$4,613,329. The funding for the proposed capital projects will be allocated as follows: \$130,000 will come from the Water Fund; \$100,000 will come from the Sewer Fund; \$872,386 from Closed Capital Projects; \$662,930 from taxation and \$2,848,013 will be bonded.

The Capital Planning Committee would like to thank the department personnel, appointed officials and the elected boards for the time and effort spent in preparing the capital requests and in working with the committee. The cooperation of all parties was greatly appreciated.

Respectfully submitted,

Capital Planning Committee

James E. Hayes, Chair
Lori A. Coutu
Rosina C. Goodrich
Stephen G. Loyack
John R. McGreal
Conrad M. Wiezicki

ARTICLE 4. To see if the Town will vote to raise and/or appropriate a sum of money to be expended under the jurisdiction of the Board of Assessors to fund the annual revaluation contract; and pass any vote or take any other action relative thereto.
Sponsored by: Board of Assessors
\$53,000.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 5. To see if the Town will vote to raise and/or appropriate, borrow or otherwise provide a sum of money for highway construction and/or reconstruction or maintenance purposes which is to be reimbursed by the Commonwealth of Massachusetts; and pass any vote or take any other action relative thereto.
Sponsored by: Board of Public Works
\$432,053.00
Appropriations Committee
Recommendation: Recommended

Appropriations Committee
Recommendation: Recommended

ARTICLE 6. To see if the Town will vote to raise and/or appropriate, transfer or otherwise provide a sum of money from the water undesignated fund balance and a sum of money from the sewer undesignated fund balance to the General Fund Long Term Debt & Interest Accounts to fund Water & Sewer Long Term Debt & Interest; and pass any vote or take any other action relative thereto.
Sponsored by: Board of Public Works
\$1,342,156.00
Appropriations Committee
Recommendation: Recommended
Capital Planning Committee
Recommendation: Recommended

ARTICLE 7. To see if the Town will vote to raise and/or appropriate and transfer a sum or sums of money from Fiscal Year 2008 funds from one or more municipal departments to another municipal department or departments; and pass any vote and take any other action relative thereto.
Sponsored by: Board of Selectmen
\$400,000.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 8. To see if the Town will vote to appropriate and/or transfer a sum of money, not to exceed \$300,000.00 from town stabilization accounts, to pay for extraordinary Special Education costs incurred by the School Department during the school year ending June, 2008 for new students; and pass any vote or take any other action relative thereto.
Sponsored by: School Committee
\$300,000.00
Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 9. To see if the Town will vote to raise and/or appropriate a sum of money for the payment of various departmental bills from Fiscal Year 2007 or prior years; and pass any vote and take any other action relative thereto.
Sponsored by: Board of Selectmen
\$10,000.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 10. To see if the Town will vote to authorize the Town of East Longmeadow, acting through its Board of Selectmen, to re-establish a “Local Cable Access Revolving Fund” for Fiscal Year 2009, in accordance with the provisions of M.G.L. Ch. 44, § 53E ½, for the purpose of receiving and expending monies from public and private sources in order to fund the local cable access program activities, as administered by the committee established for such purpose, without further appropriation, said funds to be expended in an amount not to exceed \$90,000.00 during the fiscal year, as approved by the Board of Selectmen; and pass any vote or take any other action relative thereto.
Sponsored by: Board of Selectmen

Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 11. To see if the Town will vote to authorize the Town of East Longmeadow, acting through its Board of Selectmen, to re-establish a “Center School Park Revolving Fund” for Fiscal Year 2009, in accordance with the provisions of M.G.L. Ch. 44, § 53E ½, for the purpose of receiving and expending monies from public and private sources in order to fund the Center Hill Park development activities, as administered by the East Longmeadow Cultural Affairs Council, without further appropriation, said funds to be expended in an amount not to exceed \$20,000.00 during the fiscal year, as approved by the Board of Selectmen; and pass any vote or take any other action relative thereto.
Sponsored by: Board of Selectmen
Appropriations Committee
Recommendation: Recommended

ARTICLE 12. To see if the Town will vote to authorize the Town of East Longmeadow, acting through its Board of Public Works, to establish a “Transfer Station Revolving Fund” for Fiscal Year 2009, in accordance with the provisions of M.G.L. Ch. 44, § 53E ½, for the purpose of receiving and expending monies from public and private sources in order to fund the Department of Public Works Transfer Station, without further appropriation, said funds to be expended by the Department of Public Works in an amount not to exceed \$75,000.00 during the fiscal year, as approved by the Board of Public Works; and pass any vote or take any other action relative thereto. Sponsored by: Board of Public Works

Appropriations Committee
Recommendation: Recommended

ARTICLE 13. To see if the Town will vote to authorize the Town of East Longmeadow, acting through its Board of Selectmen/Board of Health, to re-establish a “Solid Waste Disposal Revolving Fund” for Fiscal Year 2009, in accordance with the provisions of M.G.L. Ch. 44, § 53E ½, for the purpose of receiving and expending monies from public and private sources in order to fund the solid waste disposal program, without further appropriation, said funds to be expended in an amount not to exceed \$75,000 during the fiscal year, as approved by the Board of Selectmen; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen

Appropriations Committee
Recommendation: Recommended

ARTICLE 14. To see if the Town will vote to appropriate and/or transfer a sum of money from the “Solid Waste Disposal Revolving Fund” to the Trash Collection Account in the General Fund; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen

\$200,000.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 15. To see if the Town will vote to appropriate and/or transfer a sum of money from the Kindergarten Tuition Revolving Fund to the General Funds Undesignated Fund Balance to offset the Debt and Interest payments associated with the financing of the Kindergarten Modular Classrooms; and pass any vote or take any other action relative thereto. Sponsored by: School Committee \$227,800.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 16. To see if the Town will vote to raise and/or appropriate or otherwise provide a sum of money to be expended under the jurisdiction of the Fire Department for maintenance and to purchase tires; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen

\$17,900.00
Appropriations Committee
Recommendation: Recommended

ARTICLE 17. To see if the Town will vote to raise and/or appropriate or otherwise provide a sum of money to be expended under the jurisdiction of the Police Department for the purchase of rifles, supplies and training in connection with their use; and pass any vote or take any other action relative thereto Sponsored by: Board of Selectmen \$30,008.00

Appropriations Committee
Recommendation: Recommended

ARTICLE 18. To see if the Town will vote to adopt the provisions of M.G.L. Ch. 41, § 19J which reads as follows: Section 19J. Notwithstanding the provisions of sections nineteen G and nineteen H, a city or town which accepts this section may compensate a clerk of a city or town who also serves as a member of its board of registrars of voters, in addition to any compensation to which such clerk is entitled as city or town clerk, a sum not less than fifty dollars but not to exceed one hundred dollars, and, if the number of registered voters exceeds one thousand, an additional sum not less than fifty dollars but not to exceed one hundred dollars for each additional thousand of registered voters or major fraction thereof; provided, however, that the total payment for such service as a member of said board shall not exceed four thousand dollars in any year; and raise and/or appropriate or otherwise provide for \$1,050.00 as additional annual compensation to the Town Clerk for serving as a member of the Board of Registrars of Voters; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen

\$1,050.00
Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 19. To see if the Town will vote to adopt the provisions of M.G.L. Ch. 41, § 19K which reads as follows:

Section 19K. In any town, that accepts this section, a town clerk who has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks’ Association as a certified Massachusetts municipal clerk, shall receive as compensation from such town, in addition to the regular annual compensation paid by such town for services in such office, an amount equal to 10 percent of such regular annual compensation, but not more than \$1,000 per year. In order to qualify for such additional compensation, a town clerk shall submit to the board of selectmen of such town proof of the award of such certificate. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of town clerk for 12 consecutive months. Such additional compensation shall discontinue when certification is discontinued or withdrawn;

and raise and/or appropriate or otherwise provide for \$1,000.00 as additional annual compensation to the Town Clerk for obtaining said certification; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen

\$1,000.00
Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 20. To see if the Town will vote to appropriate from the Community Preservation Fund annual revenues a sum or sums of money as recommended by the Community Preservation Committee for administrative expenses, community preservation projects and other permissible expenses in Fiscal Year 2009 as follows:

Appropriations:
From FY 2009 estimated revenues for Committee Administrative Expenses 5%

Reserves:
From FY 2009 estimated revenues for Historic Resources Reserve: 10%

From FY 2009 estimated revenues for Community Housing Reserve: 10%

From FY 2009 estimated revenues for Open Space Reserve: 10%

From FY 2009 estimated revenues for the Legally Undesignated General Reserve: 65%;

and pass any vote or take any other action relative thereto. Sponsored by: Community Preservation Committee
Appropriations Committee
Recommendation: Recommended

ARTICLE 21. To see if the Town will vote to raise and/or appropriate, transfer or otherwise provide a sum of money from the Community Preservation Fund Community Housing Reserve Fiscal Year 2009 account to be expended under the jurisdiction of the Community Preservation Committee to pay all costs for:

1. Village Green Community Room Kitchen Renovation, \$18,000.
2. Quarry Hill Automatic Handicapped Access Doors, \$5,515.
3. Quarry Hill Hallway Heaters, \$8,530.

and pass any vote or take any other action relative thereto. Sponsored by: Community Preservation Committee \$32,045.00
Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 22. To see if the Town will vote to accept recommendations of the Community Preservation Committee relative to the “Norcross House and property” and to appropriate money to accomplish said recommendation from the Community Preservation Fund Legally Undesignated Reserve Fiscal Year 2009 account; and pass any vote and take any other action relative thereto.

Sponsored by: Community Preservation Committee \$235,000.00
Appropriations Committee
Recommendation: No recommendation due to insufficient information. Capital Planning Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 23. To see if the Town will vote to raise and/or appropriate a sum of money to be used only for the design and construction of a sidewalk on Porter Road, and that said money be expended under the jurisdiction of the Board of Public Works; and pass any vote or take any other action relative thereto. Sponsored by: Petition of Tina Kingston and others.
Appropriations Committee
Recommendation: Not recommended
Capital Planning Committee
Recommendations: Not recommended

ARTICLE 24. To see if the Town will vote to raise and/or appropriate a sum of money to the Stabilization Fund, for the purpose of setting aside funds for future expenditures; and pass any vote or take any other action relative thereto. Sponsored by: Appropriations Committee \$300,000.00

ARTICLE 25. To see of the Town will vote to accept the provisions of M.G.L. Ch. 33, § 59 which reads as follows:

Any person in the service of the commonwealth, or of a county, city or town which, by vote of its county commissioners or city council or of its inhabitants at a town meeting, accepts this section, or has accepted similar provisions of earlier laws, shall be entitled, during the time of his service in the armed forces of the commonwealth, under section thirty-eight, forty, forty-one, forty-two or sixty, or during his annual tour of duty of not exceeding 34 days in any state fiscal year and not exceeding 17 days in any federal fiscal year as a member of a reserve component of the armed forces of the United States, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, or of such county, city or town, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen
Appropriations Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 26. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to solicit bids and to sell Town owned property located on Arch Street, being Board of Assessors parcel numbers 15A-77-651 and 15 A-76-640, subject to the compliance with M.G.L. Ch. 30B; and pass any vote or take any other action relative thereto. Sponsored by: Board of Selectmen
Capital Planning Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 27. To see if the Town will vote to authorize the Board of Selectmen and/or the Board of Public Works to exchange a parcel of land owned by the Town abutting 47 Colorado Street, Springfield, Massachusetts, containing approximately 3,600 sq. ft., for a parcel of land abutting said 47 Colorado Street containing approximately 3,600 sq. ft., subject to compliance with the provisions of M.G.L. 30B; and pass any vote and take any other action relative thereto.

Sponsored by: Board of Selectmen
Capital Planning Committee
Recommendation: No recommendation due to insufficient information.

ARTICLE 28. To see if the Town will vote to amend the East Longmeadow Zoning By-Law, 1991 Revision by adding new definitions to Section VIII; to delete the current Section 7.36 and insert in place thereof with “Additional Criteria for Home Based Trade” and re-numbering the remaining paragraphs in this section; by adding “notwithstanding Section 7.36, Additional Criteria for Home Based Trade” as additional text in the Schedule of Use Regulations (Table 3-1) Section 3.092 under Land Use Classification; and by creating a new section 3.0901 in the Schedule of Use Regulations (Table 3-1) all as follows:

Section VIII Definitions

HOME BASED TRADE: The incidental and secondary use of a portion of the home or accessory building thereto, as a place for limited storage in connection with an off-premises trade by a homeowner and resident of the premises, as a builder, carpenter, electrician, painter, plumber, landscaper or similar person, whose business is conducted off-site. Said use is specifically limited as

set forth in Section 7.36 of the East Longmeadow Zoning By-Law.

SUBASSEMBLY

An assembled unit forming a component to be incorporated into a larger assembly.

TRADE VEHICLE

A commercial vehicle used in the operation of a Home Based Trade.
TRAILER: That which attaches to the back of a trade vehicle for the purpose of transporting objects or materials required by the Home Based Trade. Pursuant to Massachusetts General Laws, Chapter 90, trailers must be registered and have a 17 digit VIN number.

WHEELED ACCESSORY: A single axle accessory not designed to transport equipment.

IMMEDIATE FAMILY

Immediate family shall mean for the purposes of this by-law (section 7.36): spouse, parent, step-parent, children, step-children, siblings and step-siblings that reside at the permitted site.

7.36 Additional Criteria for Home Based Trade

In residential districts: The Special Permit Granting Authority (hereinafter referred to as the SPGA) may issue a Special Permit allowing a Home Based Trade operation (see Section VIII - Definitions for Home Based Trade). The availability of this Special Permit will be limited to those residential zone Home Based Trade operations in existence in a residential district as of the date of the first publication of notice for the public hearing to amend section 7.36 which is January 28, 2008. Issuance of the Special Permit shall be subject to the general standards and conditions enumerated in Section 7.2 of this bylaw and the following provisions:

- a. This use will only be allowed in residential districts AA, A, B & C.
- b. Any person wishing to obtain a Special Permit for this limited use must present satisfactory documentation, as determined by the SPGA, which validates the applicant’s ownership of and residence at the property and business existence and operation in the residential district as of the date of the first public notice for the public hearing for this section which is January 28, 2008. Documentation may include, but is not limited to, paid excise tax bills on the business vehicles validating existence at the residential site.

c. These specific uses will terminate upon the termination of the existing operation as approved and permitted or upon the sale of the property to a non-family member. Said business is not transferable to anyone other than an immediate family member as defined in Section VIII of this by-law.

d. All eligible applications for Special Permit for this limited use must be filed with the Planning Board office on or before December 31, 2008.

e. The Special Permit application shall include a site plan designating lot size, existing structures, vehicle/parking footprint, storage area, vehicle access and egress from the rear property and placement of required screening. Vehicle reference throughout this section refers to Home Based Trade vehicles, unless otherwise specified. All dimensional regulations (Table 3-2) for residential districts remain in effect for residential parcels acquiring a Home Based Trade. All vehicles and trailers are to be listed as to type and size, as well as any outside storage of equipment and wheeled accessories (see Section VIII – Definitions for trailer and wheeled accessory). All materials and chemicals as well as all hazardous materials are to be listed and in compliance with the East Longmeadow Zoning By-laws and the East Longmeadow Fire Department regulations.

f. Outside storage of materials or equipment required by the Home Based Trade shall not exceed 6% of the lot size, excluding wetland resource areas as defined by the Wetland Protection Act (M.G.L. c. 131 § 40). Said storage shall be garaged or properly screened from sight of abutting properties and ways (as determined by the SPGA) to the rear of the principal building. Storage containers and trailer beds and/or trailer bodies shall not be permitted.

g. Not more than 20% of the habitable floor area within the principal building shall be dedicated for the business use. Said area is to be designated on a site plan approved by the SPGA and made a part of said Special Permit.

h. The number of employees’ vehicles allowed at the residential Home Based Trade business location shall be limited to the number of trade vehicles permitted on the site, as conditioned by the Special Permit.

i. No retail or wholesale activities shall be allowed on the premises.

j. No fabrication of subassemblies or manufacturing of any type shall be

allowed on the lot.

k. No signage (other than logos on company vehicles) shall be allowed.

l. Presence of the business shall not be apparent from the street.

m. The hours of operation shall be permitted from 7:00 a.m. to 8:00 p.m. Monday through Saturday to get crews and material off site in the morning and return in the evening, with all work being performed off site, with no operation on site on Sunday. Emergencies and/or weather responses involving the health and welfare of the citizens are exempt from the conditions of this section. Said emergencies shall be determined by the SPGA.

n. Noise regulations enumerated in the East Longmeadow General By-Laws Section 8.090 shall be applicable to any Special Permit issued under this section. Vehicles with back-up signal alarms shall be placed so as not to activate during the early morning or late night hours in the case of emergency and/or weather responses.

o. Idling of vehicles shall not exceed the 5 minute maximum limit as regulated by M.G.L. c. 90 §16A.

p. Vehicle and equipment repairs are limited to those that are related to the home based trade and approved for the site as conditioned through the Special Permit. All repairs are to be done only within a garage or accessory structure, not to cause any disturbing noise or air pollution to the neighborhood. As required by section 8.090 of the East Longmeadow General By-Laws, repairs shall take place between the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday with no activity on Sunday.

q. The number of trade vehicles and/or trailers shall be limited as follows:

Lot size Minimum	Max. # of Vehicles/Trailers Allowed
10,000 square feet	1 trade vehicle & 1 trailer
20,000 square feet	2 trade vehicles & 2 trailers
30,000 square feet	3 trade vehicles & 3 trailers
40,000 square feet	4 trade vehicles & 4 trailers
60,000 square feet	5 trade vehicles & 5 trailers

r. Size of trade vehicles shall be limited to six-wheels/2 axles maximum. The maximum wheel base length shall be 210 inches and the maximum trailer bed

and/or body length shall not exceed 22 feet in length, nor exceed 13 feet 6 inches in height, as regulated by the Department of Transportation. Ten (10) wheeled vehicles, dry van/box trucks, or any tractor trailer vehicles are not permitted.

s. The vehicle footprint for trade vehicles and/or trailers is as follows: all vehicles and/or trailers shall be located to the rear of the principal building and said location shall adhere to the established setbacks of the principal building, as required for the appropriate residential district in which the home based trade is located. In the case of a corner lot, the side yard facing a public way shall adhere to the front-yard setback. (See Section VIII Definitions for corner lot.)

t. All vehicles must be garaged and/or screened to the rear of the principal building. No on-street parking, as it relates to Home Based Trade, shall be allowed. The parking of employee vehicles is limited to the number of trade vehicles, exclusive of trailers, approved for the site. When trade vehicles are in use, the trade vehicle footprint may be occupied with employee vehicles. The footprint for employee parking shall not exceed the footprint for trade vehicles, as approved through the Special Permit and shown on the plan.

u. All vehicles, equipment and storage materials must be screened to prevent being seen from street view and that of the abutting properties. All storage, which includes vehicles and equipment, is to be properly screened to the rear of the principal building. Screening is subject to existing features of the parcel and may include plantings at 4-5 feet minimum, fence material, or some combination. Should fencing be required, it must be installed at the time of the Special Permit approval.

v. A pre-existing, legal and non-conforming use in existence prior to the East Longmeadow Zoning By-law, 1962, is protected in that use and not subject to Section 7.36. Any change in this use is subject to the conditions of Section 3.5 of the East Longmeadow Zoning By-Law.

and pass any vote or take any other action relative thereto.

Sponsored by: Planning Board

EAST LONGMEADOW SCHEDULE OF USE REGULATIONS TABLE 3-1

Bylaw Number	Land Use Classification	Standards & Conditions	RAA	RA	RB	RC	ER	COM	BUS	I	IGP	GR	PUR	PAR
3.0901	Home Based Trade	<p>The incidental and secondary use of a portion of the home or accessory building thereto, as a place for storage in connection with an off-premises trade by a homeowner and resident of the premises as a builder, carpenter, electrician, painter, plumber, landscaper or similar person. Said use is specifically limited as enumerated in Section 7.36 of the East Longmeadow Zoning By-Law.</p> <p>Any business that was legally in existence prior to 1962 is exempt from this section provided that satisfactory evidence to the Planning Board verifies said pre-existing, non-conforming existence.</p>	SP	SP	SP	SP	N	N	N	N	N	N	N	N

ARTICLE 29. To see if the Town will vote to amend the East Longmeadow Zoning By-Law, 1991 Revision by deleting the first sentence of paragraph 1 of Section 3.31 Residential Districts – AA, A, B and C - §3.311 “Accessory Buildings in Residential Areas”, and replacing it with the following sentence.

§3.311 Accessory Buildings in Residential Areas

“Accessory uses customarily incidental to any use or building permitted herein, provided that such use shall not be offensive nor dangerous to life by reason of health or fire; and further provided that such accessory use shall not include any business, industry, trailer camp, manufacturing, or commercial use or other activity conducted for gain, other than what is specifically set forth in Section 7.36 for Home Based Trade together with a Special Permit.”

and pass any vote or take any other action relative thereto.

Sponsored by: Planning Board

ARTICLE 30. To see if the Town will vote to amend the East Longmeadow Zoning By-Law, 1991 Revision to make changes to the Tables of Dimensional Regulations3-2 in Residential A, AA, B & C, Under Minimum setback accessory for the purpose of deleting the sentence and replacing it with the following language:

“Minimum Setback Accessory (feet)**
**Any accessory structure constructed at least ten (10) feet behind the principal building, can be erected no closer than five (5) feet of the rear and/or side yard property line. Any other accessory structures must meet the required side and rear yard setbacks as the principal building;

and pass any vote or take any other action relative thereto.

Sponsored by: Planning Board

ARTICLE 31. To see if the Town will vote to amend the East Longmeadow Zoning By-Law, 1991 Revision by amending Section 3.56 “Non-Conforming Lots in Residence Districts”, by adding the following paragraph: 3.56 Non-conforming Lot exemptions in Residential Districts: Increased requirements with respect to lot area, frontage, yard and similar dimensions provided in this Zoning By-law or amendments thereto shall be subject to the exemptions provided in Massachusetts General Laws, Chapter 40A, §6 and shall not apply to a vacant lot for single family use which, at the time of recording or endorsement, whichever occurred sooner, was not held in common ownership with any adjoining land, conformed to the then existing requirements, and had less than the increased requirement but at least five thousand square feet of area and fifty feet of frontage;

and pass any vote or take any other action relative thereto.

Sponsored by: Planning Board

ARTICLE 32. To see if the Town will vote to authorize the Board of Selectmen, by virtue of Massachusetts General Laws, Chapter 79, to take in fee simple for highway purposes the following street as recommended by the Board of Public Works and the Planning Board:

Lori Lane Extension:

A strip of land sixty (60) feet in width beginning at the previously accepted portion of Lori Lane, thence continuing Southeasterly a distance of approximately Two Hundred (200) feet to its terminus at a cul-de-sac as shown on plans recorded in the Hampden County Registry of Deeds at Book of Plans 341, Page 105;

and to pass any vote or take any action relative thereto.

ARTICLE 33. To see if the Town will vote to authorize the Board of Selectmen, by virtue of Massachusetts General Laws, Chapter 79, to take in fee simple for highway purposes the following street as recommended by the Board of Public Works and the Planning Board:

Skyline Drive

A strip of land sixty (60) feet in width beginning on the Southerly side of Allen Street, running Southerly a distance of approximately Five Hundred Fifty-five (550) feet to its terminus at a cul-de-sac as shown on plans recorded in the Hampden County Registry of Deeds at Book of Plans 318, Page 10;

and to pass any vote or take any action relative thereto.

Given under our hands
this April 30, 2008:

James Driscoll, Chairman
Joe Townshend
Enrico John Villamaino, III

BOARD OF SELECTMEN

Note to residents: Residents are asked to remember to bring this copy of the Town Meeting Warrant with them to the Town Meeting as only a limited number of additional copies will be made available. If any attendee has any special needs to participate at this Town Meeting, please contact the Town’s ADA Coordinator, Nick Breault, Executive Secretary, at 525-5400, ext. 420.

Note: All non-voters may be asked to sit in alternate seating.

FY09 REVENUE AND BUDGET SUMMARY	
Supplement to the Appropriations Committee Report	
Projected Revenue	
Real Estate Taxes	29,350,369
Debt Exclusion (Fire, BP, Lib, Mod)	940,617
Local Receipts	2,990,000
State Aid	10,384,587
State Aid Offsets & Other Deductions	(804,414)
State Reimbursement - Birchland Park	1,194,094
From Revolving Funds	
Solid Waste (Recycling)	200,000
Kindergarten Tuition	227,800
Animal Control	20,970
From Water & Sewer	
Water for Operating Budget	1,237,770
Water for Debt & Interest	620,106
Sewer for Operating Budget	1,038,803
Sewer for Debt & Interest	722,051
Total Projected Revenue	48,122,753
Operating Budgets	
General Fund	44,730,898
Water	1,237,770
Sewer	1,038,803
Animal Control	20,970
Total Operating Budgets	47,028,441
Capital Budget & Warrant Articles	
New Capital Projects	622,930
Warrant Articles	431,382
Total Capital Budget & Warrant Articles	1,094,312
Revenue Less Budgets	0

Operating Budgets • Fiscal Year 2009

From 7/1/2008 to 6/30/2009

GENERAL FUND

<u>TOWN EXPENSES</u>	<u>Personal Services</u>	<u>Other Expenses</u>	<u>FY 2009 Total Recommended</u>	<u>FY 2008 Budget</u>	<u>Change 09 vs. 08</u>	
132 Reserve Fund		300,000	300,000	200,000	100,000	0.0%
151 Law Department	30,172	49,728	79,900	83,164	(3,264)	-3.9%
430 Trash Collection		859,726	859,726	857,227	2,499	0.3%
752 Interest on ST Debt		10,000	10,000	10,000	-	0.0%
912 Workers' Compensation		155,000	155,000	150,454	4,546	3.0%
914 Health & Life Insurance		3,878,317	3,878,317	4,042,774	(164,457)	-4.1%
919 Employee Benefits		312,000	312,000	290,700	21,300	7.3%
945 Liability Insurance		382,515	382,515	373,096	9,419	2.5%
946 County Retirement Assessment		1,726,729	1,726,729	1,963,750	(237,021)	-12.1%
947 PVPC Assessment		2,500	2,500	2,115	385	18.2%
<i>sub total</i>	30,172	7,676,515	7,706,687	7,973,280	(266,593)	-3.3%

LOAN PAYMENTS ON EXISTING PROJECTS

710 Retirement of LT Debt (General Fund)		1,923,000	1,923,000	1,936,050	(13,050)	-0.70%
710 Retirement of LT Debt (Water Fund)		403,863	403,863	477,402	(73,539)	-15.40%
710 Retirement of LT Debt (Sewer Fund)		471,000	471,000	381,171	89,829	23.60%
751 Interest on LT debt (General Fund)		992,713	992,713	1,076,757	(84,044)	-7.80%
751 Interest on LT debt (Water Fund)		216,243	216,243	271,369	(55,126)	-20.30%
751 Interest on LT debt (Sewer Fund)		251,051	251,051	209,198	41,853	20.00%
<i>sub total</i>	-	4,257,870	4,257,870	4,351,948	(94,078)	-2.20%

DEPARTMENT, BOARDS, COMMITTEES

300 Education	19,282,278	4,533,811	23,816,089	21,717,827	2,098,262	9.70%
399 School Committee		4,200	4,200	4,200	-	0.00%
<i>sub total</i>	19,282,278	4,538,011	23,820,289	21,722,027	2,098,262	9.70%
114 Town Moderator	550	100	650	650	-	0.00%
131 Appropriations Committee	2,500	10,500	13,000	3,000	10,000	333.30%
141 Board of Assessors	150,695	18,949	169,644	163,215	6,429	3.90%
175 Planning Board	111,416	9,350	120,766	117,281	3,485	3.00%
610 Library	482,334	127,380	609,714	585,981	23,733	4.10%
<i>sub total</i>	747,495	166,279	913,774	870,127	43,647	5.00%

BOARD OF PUBLIC WORKS

421 Administration/Highway	1,040,690	475,359	1,516,049	1,472,469	43,580	3.00%
422 Building Maintenance	374,459	223,586	598,045	889,193	(291,148)	-32.70%
423 Snow & Ice	20,297	91,339	111,636	111,636	-	0.00%
TBD Utilities	-	1,050,642	1,050,642	1,006,642	44,000	4.37%
433 Disposal	14,784	30,000	44,784	44,784	-	0.00%
<i>sub total</i>	1,450,230	1,870,926	3,321,156	3,524,724	-203,568	-5.80%

BOARD OF SELECTMEN

122 Board of Selectmen's Office	199,593	15,267	214,860	205,193	9,667	4.70%
135 Town Accountant	160,636	30,205	190,841	189,656	1,185	0.60%
145 Treasurer/Clerk/Collector	293,847	50,950	344,797	338,731	6,066	1.80%
155 Management Info. Systems	159,130	191,723	350,853	328,348	22,505	6.90%
159 Operational Support		51,550	51,550	51,550	-	0.00%
160 Elections & Registration	12,000	16,700	28,700	28,850	-150	-0.50%
171 Conservation/Zoning		4,989	4,989	4,989	-	0.00%
199 Town Communications	1,200	11,400	12,600	11,400	1,200	10.50%
210 Police	2,166,944	98,000	2,264,944	2,015,902	249,042	12.40%
220 Fire	584,077	67,630	651,707	632,710	18,997	3.00%
231 Ambulance Service	-	-	-	45,000	45,000	0.00%
241 Inspectors	100,646	9,010	109,656	85,556	24,100	28.20%

Capital Planning Article

Proposed Motion:

I move that the Town vote to raise and appropriate by borrowing or otherwise, the sum of \$4,613,329 for the purpose of purchasing or otherwise constructing the following Capital Items for the Fiscal Year 2009 beginning July 1, 2008 thru June 30, 2009, or take any action relative thereto, as follows:

Funding Sources :

1. Taxation662,930.00
2."Borrowing Under Terms of Massachusetts General Laws- Chpt 44":2,848,013.00
3. By Transfer From :	
3a. Water Fund - Undesignated Fund Balance130,000.00
3b. Sewer Fund - Undesigntated Fund Balance100,000.00
4. Closed Capital Projects with Balances :	
4a. CCP with 10 yr. Maturity206,710.00
4b. CCP with 20 yr. Maturity665,676.00

Total Recommended Capital Projects4,613,329.00

<u>Specific Capital Projects :</u>	<u>Amount Requested</u>	<u>Capital Planning Recommendation</u>	<u>Appropriations Committee Recommendation</u>	<u>Funding Sources</u>
<u>Police Department</u>				
Replace Cruisers (2 vehicles)	60,000	60,000	60,000	2
Replace Car #2 (4 wheel drive vehicle)	35,000	35,000	35,000	2
Communications Upgrade (Console)	40,000	40,000	40,000	4a
ADA Handicap Entry / Install Shower Facility	38,625	38,625	38,625	4b
Replace Lockers	20,000	20,000	20,000	4b
sub-total	193,625	193,625	193,625	
<u>Fire Department</u>				
Replace Engine #1	500,000	500,000	500,000	2
Replace Portion of Roof	30,000	30,000	30,000	4b
sub-total	530,000	530,000	530,000	
<u>IT Department</u>				
Computer Desktop Replacements	30,000	30,000	30,000	4a
Laptop Replacements	9,900	9,900	9,900	4a
Printer Replacements	1,200	1,200	1,200	4a
Server Replacements	32,000	32,000	32,000	4a
sub-total	73,100	73,100	73,100	
<u>Health Department</u>				
Somers Landfill CAAA & CSA	125,000	125,000	125,000	2
Allen Street Landfill CAD	50,000	50,000	50,000	2
sub-total	175,000	175,000	175,000	
<u>Meadowbrook School</u>				
Fire Doors wired into Fire Panel	4,000	4,000	4,000	1
Rebuild all Unit Ventilators (1)	28,299	28,299	28,299	2
Rebuild all Unit Ventilators (2)	41,701	41,701	41,701	4b
New Addressable Fire Alarm System	75,000	75,000	75,000	2
Clean Air Ducts	21,245	21,245	21,245	1
Replace Kitchen Ceiling	30,000	30,000	30,000	4b
Replace Folding Gym Partition Doors	40,000	40,000	40,000	1
New Athletic Fields (1)	486,390	486,390	486,390	2
New Athletic Fields (2)	63,610	63,610	63,610	4a
sub-total	790,245	790,245	790,245	
<u>Mountain View School</u>				
Fire Doors Wired into Fire Panel	4,000	4,000	4,000	4b
Clean Air Ducts	21,245	21,245	21,245	1
sub-total	25,245	25,245	25,245	
<u>Mapleshade School</u>				
Fire Doors Wired into Fire Panel	3,000	3,000	3,000	4b
Parking Lot Lighting	30,000	30,000	30,000	4a
Rebuild Unit Ventilators	70,000	70,000	70,000	1
Clean Air Ducts	21,245	21,245	21,245	1
sub-total	124,245	124,245	124,245	

